

# Congressional Record

## SEVENTY-FOURTH CONGRESS, SECOND SESSION

### SENATE

FRIDAY, JANUARY 3, 1936

The 3d of January being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Seventy-fourth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

JOHN N. GARNER, of Texas, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., of the city of Washington, offered the following

#### PRAYER

Almighty God, our Heavenly Father, before whose gaze Earth in all her myriad forms aspires to Heaven and with innumerable voices sings the joy of her deliverance, draw us, Thy children, so near to Thee by our inward need that we may press our weakness close to Thy strength and win new power for the duties that await us in the days that lie ahead.

To Thy merciful care we commend our Nation that, being guided by Thy providence, we may dwell secure in Thy peace.

Be graciously pleased to bless our President, our Vice President, the Members of the Congress, the judiciary, and all others who bear rule in our beloved land. Help them to be masters of themselves, that they may be the servants of others; and make them ever mindful of their high calling to serve this people in Thy fear, lest the will to justice be overcome by the will to power.

Take away all hatred, pride, and prejudice, and whatever else may hinder peace and concord among the nations of the world, that we may see the dawning of a new day in which achievement shall overtake desire and aspiration, and the outbreak of the prophetic spirit shall be directed toward the transfiguration as well as the sanctification of life.

All of which we ask in the name and for the sake of Jesus Christ, Thy Son, our Lord. Amen.

#### CALL OF THE ROLL

The VICE PRESIDENT. The Secretary will call the roll of the Senate.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Coolidge	Johnson	Pittman
Ashurst	Copeland	Keyes	Pope
Bachman	Costigan	King	Radcliffe
Bailey	Couzens	La Follette	Robinson
Bankhead	Davis	Lewis	Russell
Barbour	Dickinson	Logan	Schwellenbach
Barkley	Dieterich	Loneragan	Sheppard
Bilbo	Donahay	McAdoo	Shipstead
Black	Duffy	McGill	Steiwer
Borah	Fletcher	McKellar	Thomas, Okla.
Bulkley	Frazier	McNary	Thomas, Utah
Bulow	George	Maloney	Townsend
Burke	Gibson	Minton	Trammell
Byrd	Glass	Murray	Truman
Byrnes	Gore	Neely	Vandenberg
Capper	Guffey	Norbeck	Van Nuys
Caraway	Harrison	Norris	Wagner
Carey	Hatch	Nye	Walsh
Chavez	Hayden	O'Mahoney	White
Clark	Holt	Overton	

Mr. GIBSON (when Mr. AUSTIN's name was called). I desire to announce that my colleague the senior Senator from Vermont [Mr. AUSTIN] is necessarily detained from the Senate for the day.

Mr. McNARY (when Mr. METCALF's name was called). The senior Senator from Rhode Island [Mr. METCALF] is unavoidably absent. I should like to have this announcement stand for the day.

Mr. BARBOUR (when Mr. MOORE's name was called). I announce that my colleague the junior Senator from New Jersey [Mr. MOORE] is necessarily absent. I ask that this announcement stand for the day.

Mr. RADCLIFFE (when Mr. TYDINGS' name was called). My colleague the senior Senator from Maryland [Mr. TYDINGS] is unavoidably detained from the Senate.

Mr. TOWNSEND. I announce that my colleague the senior Senator from Delaware [Mr. HASTINGS] is absent in attendance upon the funeral of the wife of Representative STEWART, of Delaware.

Mr. LEWIS. I announce that the Senator from Texas [Mr. CONNALLY], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Washington [Mr. BONE], the Senator from Montana [Mr. WHEELER], the Senator from New Hampshire [Mr. BROWN], the Senator from Nevada [Mr. McCARRAN], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. MURPHY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent, not having, for sufficient reasons, been able to reach the Senate for its opening.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

#### DEATH OF SENATOR HUEY P. LONG

Mr. OVERTON. Mr. President, it is my sad duty to announce the death since the Congress last adjourned of my former colleague Hon. HUEY P. LONG, the senior Senator from Louisiana. At a later and more appropriate time I shall make some remarks in commemoration of the career and public services of my late distinguished colleague. I now offer the resolutions which I send to the desk and ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. The clerk will read the resolutions.

The resolutions (S. Res. 205) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. HUEY P. LONG, late a Senator from the State of Louisiana.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

#### DEATH OF SENATOR THOMAS D. SCHALL

Mr. SHIPSTEAD. Mr. President, it is my duty to announce the death of my former colleague, Senator THOMAS D. SCHALL, of Minnesota. This being not the appropriate time to discuss his life and public record, that will be done at some future time, and I shall ask the Senate to do so. I present the resolutions which I send to the desk, and ask unanimous consent for their immediate consideration.

The VICE PRESIDENT. The clerk will read the resolutions.

The resolutions (S. Res. 206) were read, considered by unanimous consent, and unanimously agreed to, as follows:

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. THOMAS D. SCHALL, late a Senator from the State of Minnesota.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

## SENATOR FROM MINNESOTA

Mr. SHIPSTEAD. Mr. President, I send to the desk the certificate of appointment of Hon. ELMER A. BENSON to fill the vacancy now existing in the Senate of the United States from the State of Minnesota.

The VICE PRESIDENT. The credentials will be read.  
The Chief Clerk read as follows:

STATE OF MINNESOTA,  
EXECUTIVE DEPARTMENT,  
St. Paul.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Minnesota, I, Floyd B. Olson, the Governor of said State, do hereby appoint ELMER A. BENSON a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the death of Hon. Thomas D. Schall, is filled by election, as provided by law.

Witness His Excellency our Governor, Floyd B. Olson, and our seal hereto affixed at St. Paul, Minn., this 27th day of December, A. D. 1935.

FLOYD B. OLSON, Governor.

By the Governor:

[SEAL]

MIKE HOLM, Secretary of State.

The VICE PRESIDENT. The credentials will be placed on file.

Mr. SHIPSTEAD. Mr. President, the Senator-designate is present in the Chamber and ready to take the oath of office.

The VICE PRESIDENT. The Senator-designate will present himself at the Vice President's desk and the oath of office will be administered to him.

Mr. BENSON, escorted by Mr. SHIPSTEAD, advanced to the Vice President's desk, and, the oath of office having been administered to him, he took his seat in the Senate.

## LIST OF SENATORS, BY STATES

Alabama.—Hugo L. Black and John H. Bankhead.  
Arizona.—Henry F. Ashurst and Carl Hayden.  
Arkansas.—Joseph T. Robinson and Mrs. Hattie W. Caraway.  
California.—Hiram W. Johnson and William Gibbs McAdoo.  
Colorado.—Edward P. Costigan and Alva B. Adams.  
Connecticut.—Augustine Lonergan and Francis T. Maloney.  
Delaware.—Daniel O. Hastings and John G. Townsend, Jr.  
Florida.—Duncan U. Fletcher and Park Trammell.  
Georgia.—Walter F. George and Richard B. Russell, Jr.  
Idaho.—William E. Borah and James P. Pope.  
Illinois.—J. Hamilton Lewis and William H. Dieterich.  
Indiana.—Frederick Van Nuys and Sherman Minton.  
Iowa.—L. J. Dickinson and Louis Murphy.  
Kansas.—Arthur Capper and George McGill.  
Kentucky.—Alben W. Barkley and M. M. Logan.  
Louisiana.—John H. Overton.  
Maine.—Frederick Hale and Wallace H. White, Jr.  
Maryland.—Millard E. Tydings and George L. Radcliffe.  
Massachusetts.—David I. Walsh and Marcus A. Coolidge.  
Michigan.—James Couzens and Arthur H. Vandenberg.  
Minnesota.—Henrik Shipstead and Elmer A. Benson.  
Mississippi.—Pat Harrison and Theodore G. Bilbo.  
Missouri.—Bennett Champ Clark and Harry S. Truman.  
Montana.—Burton K. Wheeler and James E. Murray.  
Nebraska.—George W. Norris and Edward R. Burke.  
Nevada.—Key Pittman and Patrick A. McCarran.  
New Hampshire.—Henry W. Keyes and Fred H. Brown.  
New Jersey.—W. Warren Barbour and A. Harry Moore.  
New Mexico.—Carl A. Hatch and Dennis Chavez.  
New York.—Royal S. Copeland and Robert F. Wagner.  
North Carolina.—Josiah William Bailey and Robert R. Reynolds.  
North Dakota.—Lynn J. Frazier and Gerald P. Nye.  
Ohio.—Robert J. Bulkley and Vic Donahey.  
Oklahoma.—Elmer Thomas and Thomas P. Gore.  
Oregon.—Charles L. McNary and Frederick Steiwer.  
Pennsylvania.—James J. Davis and Joseph F. Guffey.  
Rhode Island.—Jesse H. Metcalf and Peter G. Gerry.  
South Carolina.—Ellison D. Smith and James F. Byrnes.  
South Dakota.—Peter Norbeck and W. J. Bulow.

Tennessee.—Kenneth McKellar and Nathan L. Bachman.  
Texas.—Morris Sheppard and Tom Connally.  
Utah.—William H. King and Elbert D. Thomas.  
Vermont.—Warren R. Austin and Ernest W. Gibson.  
Virginia.—Carter Glass and Harry Flood Byrd.  
Washington.—Homer T. Bone and Lewis B. Schwellenbach.  
West Virginia.—M. M. Neely and Rush D. Holt.  
Wisconsin.—Robert M. La Follette, Jr., and F. Ryan Duffy.  
Wyoming.—Robert D. Carey and Joseph C. O'Mahoney.

## NOTIFICATION TO THE PRESIDENT

Mr. ROBINSON submitted the following resolution (S. Res. 207), which was read, considered by unanimous consent, and agreed to:

*Resolved*, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The VICE PRESIDENT appointed Mr. ROBINSON and Mr. McNARY the committee on the part of the Senate.

## NOTIFICATION TO THE HOUSE

Mr. McNARY submitted the following resolution (S. Res. 208), which was read, considered by unanimous consent, and agreed to:

*Resolved*, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

## HOUR OF DAILY MEETING

Mr. ROBINSON submitted the following resolution (S. Res. 209), which was read, considered by unanimous consent, and agreed to:

*Resolved*, That the hour of daily meeting of the Senate be 12 m., unless otherwise ordered.

## JOINT MEETING OF THE TWO HOUSES

Mr. ROBINSON submitted the following concurrent resolution (S. Con. Res. 25), which was read, considered by unanimous consent, and agreed to:

*Resolved by the Senate (the House of Representatives concurring)*, That the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 3d day of January 1936, at 9 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

## BIRTHDAY OF SENATOR CARTER GLASS

Mr. ROBINSON. Mr. President, before moving a recess I deem it appropriate to state that tomorrow friends of the senior Senator from Virginia [Mr. GLASS] will commemorate the anniversary of his birth. Some controversy has arisen as to the number of the anniversary. Some have insisted that it is the one hundred and seventy-eighth anniversary. [Laughter.] Others, including the Senator from Virginia, think that the correct record should be reflected by thirty-eight. [Laughter.] I have examined the authentic record and find that it will be the seventy-eighth anniversary.

We all rejoice in the vigor of mind and body which the senior Senator from Virginia demonstrates. He has had a long and honorable service in the Government of our country. As a Member of the House of Representatives he demonstrated brilliancy of intellect and thorough grasp of public issues. As Secretary of the Treasury he served efficiently during a period of great anxiety and responsibility. By his labors in this body he has earned the affection of all his associates.

I am happy to have the opportunity of taking note of and making remarks on these facts today since the Senate is not expected to be in session tomorrow.

Mr. BORAH. Mr. President, the anniversary of the birth of the distinguished Senator from Virginia [Mr. GLASS] makes the day one of felicitation and pride to all his colleagues. I am unwilling to pass it by without an expression of congratulations and esteem.

Senator GLASS has had a long and notable public career. It is rich with words and deeds which will have a permanent and highly honorable place in the history of his State and of the Nation. Endowed with uncommon ability, gifted with



a power of expression which belongs to few men, aggressive and courageous in any cause which engages his attention, he enjoys the confidence and the profound respect of his colleagues and of the people, not only of his own State and the Nation but of a vast number far beyond the borders of his own country.

We are all delighted that this anniversary finds him, as has been true for many years, engaged in constructive legislation, giving to the country the benefit of his trained mind, his firm grasp of public questions, his mature judgment, and his sound and exceptional understanding of the public good.

#### EXPORT OF WAR MATERIALS TO BELLIGERENTS—INTRODUCTION OF BILL

Mr. PITTMAN. Mr. President, there is now on the statute books an important law which by its own terms will expire very shortly. It is known as the Neutrality or Embargo Act. As the administration desires to have a measure on the subject acted upon immediately, I ask unanimous consent to introduce a bill in order that it may be printed and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. In the absence of objection, the bill will be received and referred as requested by the Senator from Nevada.

The bill (S. 3474) providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; restriction of other exports; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; restriction of use of ports by belligerents; the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war was read twice by its title and referred to the Committee on Foreign Relations.

#### RECESS

Mr. ROBINSON. I move that the Senate take a recess until 8:45 o'clock p. m. today.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate took a recess until 8:45 o'clock p. m. today.

#### EVENING SESSION

The Senate reassembled at the expiration of the recess.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, informed the Senate that a quorum of the House of Representatives had assembled and that the House is ready to proceed with business.

The message also informed the Senate that a committee of three Members had been appointed by the Speaker on the part of the House of Representatives, to join with the committee on the part of the Senate, to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make, and that the Speaker had appointed Mr. BANKHEAD, Mr. DOUGHTON, and Mr. SNELL the members of the committee on the part of the House of Representatives.

The message announced that the House had concurred in the concurrent resolution (S. Con. Res. 25) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Friday, the 3d day of January 1936, at 9 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The message communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. THOMAS D. SCHALL, late a Senator from the State of Minnesota.

The message also communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. HUEY P. LONG, late a Senator from the State of Louisiana.

The message further communicated to the Senate the intelligence of the death of Hon. HENRY M. KIMBALL, late a Representative from the State of Michigan, and transmitted the resolutions of the House thereon.

#### NOTIFICATION TO THE PRESIDENT

Mr. ROBINSON and Mr. McNARY advanced in the center aisle, and

Mr. ROBINSON said: Mr. President, the joint committee appointed by the Senate and the House of Representatives to notify the President that the two Houses are in session and are ready to receive any communication he may desire to make have performed that duty and report that they have communicated with the President, and the President will deliver a message to a joint session of the Senate and the House in the Hall of the House of Representatives at 9 o'clock this evening.

#### JOINT MEETING OF THE TWO HOUSES

Mr. ROBINSON. Mr. President, pursuant to the concurrent resolution agreed to earlier in the day, I move that the Senate proceed to the Hall of the House of Representatives.

The motion was agreed to; and the Senate, preceded by the Sergeant at Arms, the Vice President, and the Secretary, proceeded to the Hall of the House of Representatives.

#### ANNUAL MESSAGE OF THE PRESIDENT OF THE UNITED STATES

The annual message of the President of the United States was this day delivered by him to the joint meeting of the two Houses of Congress.

(The full text of the message will be found in the proceedings of the House, p. 27.)

The Senate, having returned to its Chamber (at 9 o'clock and 59 minutes p. m.), reassembled, and the Vice President took the chair.

#### ADJOURNMENT TO MONDAY OUT OF RESPECT TO MEMORY OF DECEASED SENATORS

Mr. ROBINSON. Mr. President, as a further mark of respect to the memory of the late Senator Long, of Louisiana, and the memory of the late Senator Schall, of Minnesota, I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was unanimously agreed to; and (at 10 o'clock p. m.) the Senate adjourned until Monday, January 6, 1936, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 3, 1936

This being the day fixed by the twentieth amendment of the Constitution for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the Seventy-fourth Congress met in their Hall, and at 12 o'clock noon were called to order by the Speaker, Hon. JOSEPH W. BYRNS, a Representative from the State of Tennessee.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following

#### PRAYER

Almighty God, our Heavenly Father, Thou who hast set Thy glory above the heavens, as we wait in the afterglow of the new year, imbue our minds with knowledge and understanding that we may be worthy of the vocation whereunto we have been called. We would be still and know that Thou art God and receive the inspiration to consecrated labors and righteous achievements. Bow down, O Lord, that we may most urgently feel the responsibilities that are beating everywhere. Enable us to distinguish between liberty and justice, purity and impurity in the things that make for good citizenship. Graciously abide with our President, our Speaker, the Members, officers, and the employees of the Congress. Do Thou stimulate every impulse that makes for wise statesmanship and inspire us to toil with that faith which makes the heart strong and the step light. May there be built in our own civilization a kingdom of God full of blessedness,